Phase III WIP Planning Targets – Selecting the Scenario Year

Background

- In preparation for the Phase III WIPs in 2018, **EPA anticipates releasing the final Phase III planning targets in December 2017 (draft targets in June 2017),** considering the Chesapeake Bay Program (CBP) partnership's-vetted methodology and any necessary adjustments to meet applicable water quality standards.

- **In 2010, the Partnership reached agreement on a methodology and scenario year** for dividing up responsibility for achieving the basinwide load reflecting the assimilative capacity of the Bay at which it could still meet the states' water quality standards.

- A question before the Partnership is: are any changes to that existing methodology and scenario year needed to reflect what we know now that we did not know five years ago?

- The WQGIT will make a decision on the Phase III WIP planning targets methodology and the scenario year during their face-to-face meeting on October 24-25, 2016.

Key Considerations for Selecting the Scenario Year for the Phase III Planning Targets

- Setting the scenario year for the Phase III planning targets **reflects the base set of conditions upon which we will build the planning targets**. Using the best available data should be a goal.

- The choice of a scenario year for the Phase III planning targets is also an **equity issue: accounting for growth and determining what pollutant loads will need to be offset**.

Options: Scenario Years for the Phase III Planning Targets

➢ **2010[1] – Year for the Bay TMDL as "backcasted" from 2012 data**

▪ Using 2010 as backcasted from 2012 doesn't violate the best available data principle of TMDLs because we'd be using the best available data from 2012 and backcasting to 2010.

▪ The 2010 scenario year will not change through time, since it reflects actual data and not a future projection (where data will change as you get closer to that future year).

▪ Maintains a stable scenario year with the Bay TMDL which will remove any inequities caused by states that grew from 2010 to 2012 or 2017 or any other forecasted year.

▪ Consistent with EPA's expectation to offset all loads beyond the scenario year for the original TMDL.

➢ **2012 – Year with Best Available Data**

▪ Although 2012 reflects current data, it would potentially allow higher planning targets for jurisdictions that experienced growth between 2010 and 2012[2] and slightly lower planning targets for those that did

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[1] Using the base year for the Bay TMDL as forecasted from 2007 data is not a viable option since that information cannot be used in Phase 6 of the Watershed Model. The Phase 6 Watershed Model is using the best available data from 2012.

[2] Recall that the TMDL allocations were set based on a percentage between No Action and "E3" (everything everywhere by everybody). If a jurisdiction grew from 2010 to 2012 by replacing forest with urban, both its No Action and E3 levels would increase. Using the same percentage to calculate their reduction requirements, the jurisdiction would receive a higher planning target (i.e., would have to do less even though it discharges more).

not. (NOTE: Lower planning targets could potentially occur in those areas where low-density residential housing occurred on previously intense animal agricultural areas.)

- Using any year other than 2010 (especially if a jurisdiction grows), could contradict the CBP-agreed principle of the TMDL which states that "Major river basins that contribute the most to the Bay water quality problems must do the most to resolve those problems".

➤ **2017 – Midpoint Assessment Year**

- Process is consistent with how the base year was set for the 2010 Bay TMDL (i.e., a forecasted base year condition from a year with actual data which, in this case, is 2012).

- Potentially allows higher planning targets for jurisdictions that experienced growth between 2010 and 2017[3] and lower planning targets for those that did not. This contradicts one of the principles of the TMDL which states that "major river basins that contribute the most to the Bay water quality problems must do the most to resolve those problems".

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[3] See footnote 2.